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E MAIL: BADLER1@houston.rr.comINTELLECTUAL PROPERTY LAW  
(PATENT, BIOTECHNOLOGY, COMPUTER,  
TRADEMARK & TRADE SECRET LAW)**FACSIMILE COVER SHEET**PLEASE DELIVER TO: Examiner WessendorfCOMPANY: United States PTOFACSIMILE NUMBER: (703) 872-9306NUMBER OF PAGES (COUNTING COVER SHEET): 3FROM: Benjamin A. AdlerMESSAGE: Please deliver the attached to Examiner Wessendorf.  
Examiner Wessendorf, attached are a Notice of Appeal and a  
Petition for Extension of Time for USSN 09/992,516 (D6431).  
Thank you.

CONFIDENTIALITY NOTICE: Unless otherwise indicated or obvious from the nature of this transmittal, the information contained in this facsimile is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader is not the intended recipient or an employee or agent responsible for delivery, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you receive this communication in error, please immediately notify Dr. Benjamin A. Adler at (713) 270-5391 and promptly return the facsimile. Thank you.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**APPLICANT:** Shafer**ART UNIT:** 1639**FILED:** November 14, 2001**EXAMINER:**  
Wessendorf, T.**SERIAL NO.:** 09/992,516**DOCKET:**  
D6431**FOR:** Expression Miniarrays And  
Uses Thereof

**Mail Stop AF**  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER**  
**TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences the decision dated November 6, 2003 from the Primary Examiner, rejecting claims 7 and 9-22.

The Commissioner is hereby authorized to charge Deposit Account No. 07-1185 in the total amount of \$165 for the appeal fee and any additional fee that may be required. Please credit any overpayment or debit any underpayment to Deposit Account 07-1185.

Respectfully submitted,



Benjamin Aaron Adler, Ph.D., J.D.

Counsel for Applicant

Registration No. 35,423

Date: May 6, 2004

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